

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 19-CR-214

ROBERT JOSEPH SOLBERG,

Defendant.

ORDER DENYING MOTION TO DELAY REPORT DATE

Defendant Robert J. Solberg pled guilty to Conspiracy, in violation of 18 U.S.C. § 371, in which he and a co-defendant rolled back odometers of high mileage vehicles in order to sell them on Craigslist at an inflated price. Solberg was sentenced to 4 months in the custody of the Bureau of Prisons on August 27, 2020, and the Court allowed Solberg to voluntarily surrender. At the October 16, 2020 restitution hearing, Solberg sought an extension of his December 1, 2020 reporting date. The motion was granted and Solberg was directed to report on February 1, 2021. Solberg now moves for a second extension of his report date “until such time as vaccinations have been widely distributed amongst the general population to protect the life and health of the Defendant.” The motion will be denied.

Solberg’s motion cites no prior health conditions that make him more susceptible to Covid-19 or that increase the risk that he would die or suffer serious injury from the virus. The thorough Presentence Investigation Report completed for sentencing noted that “the defendant described his current physical health as good and denied any history of treatment, surgery, or hospitalization for any serious or chronic illness or medical condition.” Although the virus can be deadly, the vast

majority of healthy people under the age of 65 are not seriously affected for any significant length of time. As of January 14, 2021, the date Solberg filed his initial motion, he cites statistics for the entire Bureau of Prisons, but he states no data regarding the facility to which he was ordered to report. Vaccinations to the Covid-19 virus have begun throughout the United States, including within the Bureau of Prisons, beginning with healthcare workers, those most vulnerable, and other frontline workers.

Given Solberg's age (35), absence of any significant underlying health conditions, the relatively mild symptoms most people experience, and the ability of the Bureau of Prisons to properly care for prisoners who contract the virus, the Court is satisfied that Solberg can safely report and complete his sentence. His motion for further delay is, therefore, **DENIED**.

Solberg also alleges in his motion to delay his reporting date that the Government has breached the agreement on restitution under which two vehicles were to be returned to him upon payment of \$10,000. To the extent Solberg is requesting relief for the alleged breach of such an agreement, he should file a separate motion to which the Government is directed to respond within ten days. Any such breach is not grounds to further delay Solberg's reporting date.

SO ORDERED at Green Bay, Wisconsin this 26th day of January, 2021.

s/ William C. Griesbach
William C. Griesbach
United States District Judge